

House Bill 344 on Second Reading (Special Order)

The President laid before the Senate, as a special order for this hour, on its second reading and passage to third reading:

H. B. No. 344, A bill to be entitled "An Act defining publication, newspaper, political sub-division, district and certain mandatory expressions; designating persons to select newspapers in which publications are to be inserted; fixing a minimum and a maximum charge for publications in newspapers; providing for the publication of notices, proclamations, advertising, and citations in newspapers; repealing conflicting provisions of Articles 3, 29, 1154, 3311, 3334, 3808, 4204, 7206, 7276, 7342 and 7624 of the Revised Civil Statutes of Article 4115 of the Revised Civil Statutes as amended by Acts of 1935, Forty-fourth Legislature, Chapter 254, Section 1, of Acts of 1925, Thirty-ninth Legislature, Chapter 161, Sections 2 through 6, of Acts of 1933, Forty-third Legislature, First Called Session, Chapter 84, Section 1, and of Acts of 1937, Forty-fifth Legislature, Chapter 506; repealing all parts of laws in conflict; providing a rule of construction, and declaring an emergency."

The bill was read second time.

Question—Shall the bill be passed to third reading?

Report of Standing Committee

Senator Moore, by unanimous consent, submitted at this time the following report of the Committee on Game and Fish:

Austin, Texas,
May 23, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 133, A bill to be entitled "An Act requiring any person hunting any quail outside of the county of his residence, upon the private lands of another person in Erath, Hood and Panola Counties, to first obtain and have in his possession a written permit; etc.,"

Have had the same under consideration, and I am instructed to report

it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Chairman.

Adjournment

Senator Weinert moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

The motion prevailed; and the Senate, accordingly, at 4:25 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

SEVENTY-FIFTH DAY

(Wednesday, May 24, 1939)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

A quorum was announced present.

The invocation was offered by the Chaplain.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence Granted

Senator Martin was granted leave of absence for today on account of important business, on motion of Senator Small.

Reports of Standing Committees

Senator Van Zandt submitted the following report of the Committee on Civil Jurisprudence:

Austin, Texas,
May 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 716, A bill to be entitled "An Act amending Article 4619, Revised Civil Statutes of Texas, 1925 revision, so as to more clearly define what constitutes community property; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

VAN ZANDT, Chairman.

Senator Weinert submitted the following report of the Committee on State Affairs:

Austin, Texas,
May 23, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 912, by Bell et al., A bill to be entitled "An Act further regulating the sale, transportation, storage, manufacturing, etc., of alcoholic beverages in this State under the Texas Liquor Control Act by repealing subsection (d) of Section 3, Article I, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by Section 1 of House Bill No. 5, Acts of the Regular Session of the Forty-fifth Legislature; by amending Sections 4 (a), 11, 15 (b), 15 (c), 17, 19, 21, 29, 30, 32, 33, 35, 37, 38, 39, and 41 of Article I, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by House Bill No. 8, Acts of the Third Called Session of the Forty-fourth Legislature and House Bill No. 432, Acts of the Regular Session of the Forty-fifth Legislature, House Bill No. 5, Acts of the Regular Session of the Forty-fifth Legislature, and Senate Bill No. 20, Acts of the First Called Session of the Forty-fifth Legislature; etc.; providing a

saving clause; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Subcommittee Substitute, hereto attached, do pass in lieu thereof and be printed.

WEINERT, Chairman.

Senate Concurrent Resolution 57

Senator Head offered the following resolution:

Whereas, Senate Bill 41 has been vetoed by the Governor, which bill was designed to cooperate with the Council of State Governments in interstate activities in the fashion of a model bill passed by 42 other States, and

Whereas, The Governor made no objection to the purpose of said bill but felt that it would create a new State department and necessitate an appropriation, and

Whereas, It is desirable for Texas to join with her sister States in activities designed to maintain a more perfect union, and at the same time eliminate the objections urged, now, therefore, be it

Resolved by the Senate of the State of Texas, the House concurring:

Section 1. That there be established a Texas Commission on Interstate Cooperation to be composed of: (1) the five members of the Senate Standing Committee on Interstate Cooperation, (2) the five members of the House Standing Committee on Interstate Cooperation, and (3) a person or persons, not exceeding five, to be designated by the Governor, one of whom shall be designated by the Governor as Chairman of the entire Commission.

Sec. 2. The said Standing Committee of the Senate and the said Standing Committee of the House of Representatives shall function during the regular session of the Legislature and also during the interim periods between such sessions; their members shall serve until their successors are designated; and they shall respectively constitute for this State the Senate Council and the House Council of the American Legislators' Association. The incumbency of each other member of the Commission shall

extend until his successor is appointed.

Sec. 3. It shall be the function of this Commission:

(1) To carry forward the participation of this State as a member of the Council of State Governments.

(2) To encourage and assist the legislative, executive, administrative and judicial officials and employees of this State to develop and maintain friendly contact by correspondence, by conference, and otherwise, with officials and employees of the other States, of the Federal Government, and of local units of government.

(3) To endeavor to advance cooperation between this State and other units of government whenever it seems advisable to do so by formulating proposals for, and by facilitating

(a) The adoption of compacts,

(b) The enactment of uniform or reciprocal statutes,

(c) The adoption of uniform or reciprocal administrative rules and regulations,

(d) The informal cooperation of governmental offices with one another,

(e) The personal cooperation of governmental officials and employees with one another, individually,

(f) The interchange and clearance of research and information, and

(g) Any other suitable process.

(4) In short, to do all such acts as will, in the opinion of this Commission, enable this State to do its part—or more than its part—in forming a more perfect union among the various governments in the United States and in developing the Council of State Governments for that purpose.

Sec. 4. The Commission shall establish such delegations and committees as it deems advisable, in order that they may confer and formulate proposals concerning effective means to secure intergovernmental harmony, and may perform other functions for the Commission in obedience to its decisions. Subject to the approval of the Commission, the member or members of each such delegation or committee shall be appointed by the Chairman of the Commission. The Commission may provide such other rules as it considers appropriate concerning the membership and the functioning of any such delegation or committee. The Commission may provide for advisory

boards for itself and for its various delegations and committees, and may authorize private citizens to serve on such boards.

Sec. 5. The Commission shall report to the Governor and to the Legislature within fifteen days after the convening of each regular legislative session, and at such other times as it deems appropriate. Its members and the members of all delegations and committees which it establishes shall serve without compensation for such service.

Sec. 6. The Council of State Governments is hereby declared to be a joint governmental agency of this State and of the other States which cooperate through it.

Sec. 7. It is not the sense of this resolution that a new State department or State or district office be created.

The resolution was read and was referred to the Committee on Interstate Cooperation.

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, May 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill and resolution:

H. B. No. 340, A bill to be entitled "An Act to provide revenue for old age assistance, aid to destitute children, aid to needy blind, and payment of the obligations of the State under the Teachers Retirement Act; amending Section 2 of Chapter 241, Acts of the Regular Session of the Forty-fourth Legislature; etc., and declaring an emergency."

H. J. R. No. 44, A Joint Resolution proposing an amendment to Article 3 of the Constitution of the State of Texas authorizing the lending of Three Million Dollars (\$3,000,000) of the Permanent School Fund for the construction of a State office building or buildings and acquiring necessary sites therefor; providing for repayment of the Permanent School Fund; providing for the submission of this amendment to the voters of this

State; and providing for the necessary proclamation and expenses of publication.

Respectfully submitted,
E. R. LINDLEY,
Chief Clerk, House of Representatives.

**House Bill 912 Ordered
Mimeographed**

On motion of Senator Weinert and by unanimous consent, it was ordered that H. B. No. 912 be mimeographed.

**Relative to Consideration of House
Concurrent Resolution 146**

Senator Stone of Galveston moved that the regular order of business be suspended and that H. C. R. No. 146 be taken up for further consideration at this time.

Senator Spears raised a point of order against consideration of the motion at this time, on the ground it may not be made or considered until the morning call has been concluded.

The President sustained the point of order.

**Report of Conference Committee on
House Bill 904**

Senator Van Zandt submitted at this time the following report of the Conference Committee on House Bill No. 904:

Austin, Texas,
May 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Hon. R. Emmett Morse, Speaker of the House.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House on House Bill No. 904, have met and beg leave to recommend that said House Bill No. 904 be passed in the form hereto attached.

Respectfully submitted,
VAN ZANDT,
COTTEN,
KELLEY,
SHIVERS,
LEMENS,

On the part of the Senate.

LANGDON,
DICKSON,
JOHNSON,
KEITH,
WORLEY,

On the part of the House.

H. B. No. 904.

**A BILL
TO BE ENTITLED**

An Act providing that all counties within this State, having a population of not less than fifty thousand (50,000) inhabitants, nor more than seventy-eight thousand (78,000) inhabitants, according to the last preceding Federal Census and in which there is located no Court of Civil Appeals, may, upon an order being made by their Commissioners Courts for this purpose, provide for and maintain a county law library; providing for the funds for said library; granting to said Courts all necessary power and authority to make this Act effective; providing that said Act shall be cumulative; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The Commissioners Courts of all counties within this State, having a population of not less than fifty thousand (50,000) inhabitants, nor more than seventy-eight thousand (78,000) inhabitants according to the last preceding Federal Census, and in which there is located no Court of Civil Appeals, shall have the power and authority, by first entering an order for that purpose, to provide for, maintain and establish a county law library.

Sec. 2. For the purpose of establishing a "County Law Libraries after the entry of such order, there shall be taxed, collected, and paid as other costs the sum of One Dollar (\$1) in each case, civil or criminal, except suits for delinquent taxes, hereafter filed in every County or District Court; provided, however, that in no event shall the county be liable for said costs in any case. Such costs shall be collected by the Clerks of the respective Courts in said counties and paid by said Clerk to the County Treasurer to be kept by said Treasurer in a separate fund to be known as the "County Law Library Fund." Such fund shall be administered by said Courts for the purchase and maintenance of a law library in a convenient and accessible place, and said fund shall not be used for any other purpose.

Sec. 3. Said Courts are granted all necessary power and authority to

make this Act effective, to make reasonable rules in regard to said library and the use of the books thereof, and to carry out the terms and provisions of this Act.

Sec. 4. This Act shall not have the effect of repealing or modifying any existing law in regard to county law libraries; but such Acts shall remain in full force and effect as to all counties affected thereby; and this Act shall be cumulative.

Sec. 5. The fact that it is for the public interest generally to have a public law library wherever possible, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be, and the same is hereby suspended, and this Act shall be in full force and effect from its passage, and it is so enacted.

Question — Shall the report be adopted?

The report was adopted by the following vote:

Yeas—28

Aikin	Nelson
Beck	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Head	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Metcalf	Van Zandt
Moffett	Weinert
Moore	Winfield

Present—Not Voting

Brownlee

Absent

Hardin

Absent—Excused

Martin

**House Bill 688 on Passage to
Third Reading
(Special Order)**

The President laid before the Senate, as an unfinished special order, on its passage to third reading (the

bill having been read second time on Tuesday, May 16, 1939):

H. B. No. 688, A bill to be entitled "An Act to amend Sections 1 and 6 of Chapter 13, Acts of the Third Called Session of the Forty-second Legislature, and to amend Section 7 of Chapter 13, Acts of the Third Called Session of the Forty-second Legislature, as amended by Chapter 136, Acts of the Regular Session of the Forty-third Legislature, as amended by Chapter 117, Acts of the First Called Session of the Forty-third Legislature, as amended by Chapter 326, Acts of the Regular Session of the Forty-fourth Legislature, and as amended by Chapter 379, Acts of the Regular Session of the Forty-fifth Legislature, relative to the Board of County and District Road Indebtedness; and providing that if any portion hereof be unconstitutional or invalid for any reason, the remaining part shall, nevertheless, be in full force and effect; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

With the following amendment by Senator Sulak pending:

Amend the bill as amended by amending Section 7 (a) of the proposed Act to read hereafter as follows:

"Sec. 7. (a) All bonds, warrants or other evidence of indebtedness heretofore issued by counties, cities or defined road districts of this State, insofar as amounts of same were issued for, and the proceeds have been actually expended in the construction of roads that constituted and comprised a part of the system of designated State highways on September 17, 1932, or which subsequent to such date, and prior to January 1, 1939, have been designated a part of the system of State highways, or any road that heretofore has constituted a part of said system, and which has been or may be changed, relocated or abandoned, whether said indebtedness is now evidenced by the obligations originally issued or by refunding obligations or both, shall be eligible to participate as of January 1, 1933, in the distribution of the moneys coming into said County and Road District Highway Fund subject to the provisions of this Act. The participation of the city bonds hereinabove referred to contemplates

the inclusion of only such bonds as were issued for and the proceeds actually expended in aiding and furthering the construction of roads, highways and bridges as an integral part of the designated highway system of the State, within or without the corporate limits of such issuing municipalities; provided that such indebtedness, the proceeds of which have been expended in the construction of roads which have been designated as a part of the State Highway System after September 17, 1932, and prior to January 1, 1939, shall participate in said County and Road District Highway Fund as of the date of designation of said road as a part of the State system; provided, that all bonds voted by a county or defined road district of the State, prior to January 1, 1939, insofar as amounts of same were or may be issued and the proceeds expended in the construction of roads which are a part of the designated system of State highways, or which were a part of said system, or which may be subsequently designated a part of said system, shall be eligible to participate in the distribution of the moneys coming into the County and Road District Highway Fund as provided in the foregoing and following provisions of this Act as of the date of the designation of said road as a part of the State system. Regardless of other provisions of this Act, where such bonds were voted prior to January 1, 1939, and prior to the designation of the road as a part of the State Highway System, the county or road district may issue and spend the proceeds on the construction of such road under contract and specifications to be approved by the State Highway Engineer, and such bonds shall be eligible to participate in the County and Road District Highway Fund the same as if the bonds were issued and expended prior to January 1, 1939; provided further, that any participation in said fund by all counties and defined road districts shall be less the amount of the sinking funds which were required to be accumulated in such funds of the respective counties and defined road districts under the provisions of the statutes and orders of the commissioners' court authorizing the issuance of said eligible obligations, and the tax levy authorized at the time of issuance thereof, for the time such obligations have run or may

have run, regardless of whether the full amount of said funds are, or may be, actually on hand and to the credit of the sinking funds of the several counties and defined road districts. It being expressly provided in this connection that the term 'sinking funds' shall include only those funds required under law for the retirement of bonds, and shall not include any excess or surplus which may have been accumulated by any county or defined road district above the legal requirements. The amount of such eligible indebtedness shall be determined as hereafter provided. Provided further, that no State funds created or provided for by the terms of this Act, shall be expended in the payment of any interest maturing on the amount of sinking funds required by the terms of this Act to be accumulated by the county or defined road district at the date of eligibility of its obligations. In the event the State Highway Commission has, on a date prior to January 1st, 1939, indicated its intention of designating as State highways the public roads of any county or defined road district in this State, and has recorded such intention in its official records, then the provisions of this Act shall apply as if the said roads had actually been designated prior to January 1st, 1939."

And with motion by Senator Moore to reconsider the vote by which the amendment by Senator Small to H. B. No. 688 was adopted on Wednesday, May 17, 1939, also pending.

Question—Shall the motion to reconsider prevail?

Senator Spears moved the previous question on the motion to reconsider, and the motion for the previous question was duly seconded.

The Senate refused to order the main question at this time by the following vote:

Yeas—9

Collie	Nelson
Graves	Spears
Hill	Stone
Lanning	of Galveston
Lemens	Sulak

Nays—19

Aikin	Brownlee
Beck	Burns

Cotten	Roberts
Hardin	Shivers
Isbell	Small
Kelley	Stone
Moffett	of Washington
Moore	Van Zandt
Pace	Weinert
Redditt	Winfield

Absent

Head Metcalfe

Absent—Excused

Martin

Recess

Senator Roberts moved that the Senate recess to 2:00 o'clock p. m. today.

The motion prevailed; and the Senate, accordingly, at 12:00 o'clock m., took recess to 2:00 o'clock p. m. today.

Afternoon Session

The Senate met at 2:00 o'clock p. m. and was called to order by the President.

House Bill 688 on Passage to Third Reading (Special Order)

The Senate resumed consideration of the pending special order, same being H. B. No. 688, on its passage to third reading; with amendment by Senator Sulak and also motion by Senator Moore to reconsider the vote by which the amendment by Senator Small (as amended) was adopted on May 17, 1939, pending.

Question—Shall the motion to reconsider prevail?

Address by Hon. Charles R. Floyd (Senate Resolution 87)

Senator Aikin, by unanimous consent, offered the following resolution:

Whereas, Hon. Chas. R. Floyd of Paris is in the Capitol, and

Whereas, Mr. Floyd is a former Member of the Senate from the 8th District; now, therefore, be it

Resolved, That he be invited to address the Senate and extended the privileges of the floor.

The resolution was read, and by unanimous consent, it was considered at this time and was adopted.

Accordingly, Senator Aikin escorted Hon. Charles R. Floyd to the President's stand, and presented him to the Senate.

Senator Floyd then addressed the Senate briefly.

Bills and Resolution Signed

The President signed, in the presence of the Senate, after their captions had been read, the following enrolled bills and resolution:

S. B. No. 117, "An Act amending Article 2665 of the Revised Civil Statutes of the State of Texas, Acts Second Called Session, 1909, p. 432, [relating to per capita apportionment of Available School Fund]."

S. B. No. 118, "An Act amending Article 7043 of the Revised Civil Statutes of the State of Texas, as amended Acts 1931, Forty-second Legislature, Second Called Session, p. 53, Ch. 32, No. 1 [relating to apportionment of Available School Fund]."

S. B. No. 36, "An Act creating and establishing the State Board of Public Welfare; providing for its members to furnish bond; setting the compensation for each member; providing for the selection of an Executive Director; fixing the compensation and specifying the duties of the director; providing for the creation of the divisions of the State Department of Public Welfare; providing for assistance to the needy blind; providing for assistance to needy dependent children; and declaring an emergency."

S. J. R. No. 4, Proposing an amendment to Article V of the Constitution of the State of Texas by adding three new sections to be known as Sections 3-b, 3-c, and 3-d, respectively; Section 3-c providing that no interlocutory injunction suspending or restraining enforcement, operation or execution of any statute of this State by restraining the action of any officer of the State in the enforcement of such statute, shall be granted by any trial court or judge thereof on the ground of the unconstitutionality of such statute, unless the petition has been on file at least five days and the opposite party or parties and the Attorney General shall have had at least three days notice thereof, not counting the day of

hearing or filing of such suit; Section 3-c providing for appeal direct to the Supreme Court from interlocutory injunctions suspending or restraining the enforcement of any statute of the State pertaining to the revenue laws of the State or to enforcement of any criminal law thereof; and empowering the Legislature to provide direct appeal to the Supreme Court from any other order of the trial court granting an interlocutory injunction or permanent injunction on the ground of the unconstitutionality of any statute of this State; and Section 3-c providing that the Supreme Court may exercise original jurisdiction in direct proceedings filed by the Attorney General of Texas in the Supreme Court with the consent of the Court to prohibit judges of district courts from issuing and enforcing interlocutory injunctions or restraining orders restraining the enforcement of any revenue or criminal law of this State on the ground of its unconstitutionality, in instances where there is no issue of facts involved.

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, May 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has appointed Mr. Keith as conferee on H. B. No. 904, replacing Mr. Pevehouse.

Respectfully submitted,

E. R. LINDLEY,

Chief Clerk, House of Representatives.

Report of Standing Committee

By unanimous consent, the following report was permitted to be submitted at this time:

Austin, Texas,
May 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 1063, A bill to be entitled "An Act to amend Article 2687 of the

Revised Civil Statutes of Texas, relating to meetings and salaries of county school board members. Providing a salary of Five Dollars (\$5.00) per day, upon the approval of the county superintendent and a majority of the county board members, in counties with a population of not less than thirty-two thousand, four hundred (32,400) and not more than thirty-two thousand, eight hundred (32,800), according to the latest Federal Census,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Chairman.

Recess

Senator Weinert moved that the Senate recess to 8:00 o'clock p. m. today.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—14

Burns	Redditt
Cotten	Small
Isbell	Stone
Kelley	of Washington
Lemens	Van Zandt
Moffett	Weinert
Moore	Winfield
Pace	

Nays—11

Aikin	Lanning
Brownlee	Metcalf
Collie	Roberts
Graves	Shivers
Hardin	Spears
Hill	

Absent

Beck	Stone
Head	of Galveston
Nelson	Sulak

Absent—Excused

Martin

The Senate, accordingly, at 3:40 o'clock p. m., took recess to 8:00 o'clock p. m. today.

Night Session

The Senate met at 8:00 o'clock p. m. to consider non-contested and local bills in accordance with S. R. No. 47

and S. R. No. 50, and was called to order by the President.

Senate Bill 476 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 476, A bill to be entitled "An Act authorizing the Commissioners' Court in any county having a population of not less than 15,700 and not more than 15,800 according to the last preceding Federal Census, to allow each county commissioner certain traveling expenses while traveling on official business, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 476 on Third Reading

Senator Head moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 476 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Brownlee
Beck	Burns

Collie	Pace
Cotten	Redditt
Graves	Roberts
Hardin	Shivers
Head	Small
Hill	Spears
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Lemens	of Washington
Metcalf	Sulak
Moffett	Van Zandt
Moore	Weinert
Nelson	Winfield

Absent—Excused

Martin

Senate Bill 466 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 466, A bill to be entitled "An Act amending Article 2350 of the Revised Civil Statutes of Texas, 1925, by adding a new section to be known as Article 2350e, fixing salaries of commissioners in certain counties by permitting Commissioners' Court of such counties to determine such salaries so long as they are not in excess of Eighteen Hundred (\$1,800.00) Dollars per year; fixing manner of payment of such salaries and the funds from which such salaries may be paid; and creating an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 466 on Third Reading

Senator Nelson moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 466 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kelley
Beck	Lanning
Brownlee	Lemens
Burns	Metcalf
Collie	Moffett
Cotten	Moore
Graves	Nelson
Hardin	Pace
Head	Redditt
Hill	Roberts
Isbell	Shivers

Small	Sulak
Spears	Van Zandt
Stone	Weinert
of Galveston	Winfield
Stone	
of Washington	

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

Senate Bill 288 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 288, A bill to be entitled "An Act authorizing and empowering the State Highway Commission to expend State Highway funds in the acquisition of existing toll bridges and the construction and maintenance of free bridges across the Rio Grande River between the State of Texas and the Republic of Mexico; to authorize and empower the State Highway Commission, with the authority of the Governor to negotiate with and enter into such contracts and agreements with owners of existing toll bridges and the Federal Government and the Republic of Mexico, as may be deemed necessary to accomplish the purposes of this Act; declaring the purpose of the Act; authorizing the acquisition of necessary right-of-way by purchase or condemnation;

providing a savings clause; and declaring an emergency."

The bill was read second time.

Senator Kelley offered the following (committee) amendments to the bill:

(1)

Strike out all above the enacting clause and substitute in lieu thereof the following:

A bill to be entitled "An Act authorizing and empowering the State Highway Commission to expend State Highway Funds in the acquisition of existing toll bridges and the construction and maintenance of free bridges across the Rio Grande River between the State of Texas and the Republic of Mexico; prescribing the manner of acquisition under certain conditions; to authorize and empower the Highway Commission with the authority of the Governor to negotiate with and enter into such contracts and agreements with the owners of existing toll bridges and with the United States Government and the Republic of Mexico as may be deemed necessary to accomplish the purposes of this Act; declaring the purposes of the Act; authorizing the acquisition of necessary right of way by purchase or condemnation; providing a savings clause; and declaring an emergency."

(2)

Strike out all below the enacting clause and substitute in lieu thereof the following:

Section 1. That the State Highway Commission is hereby authorized and empowered to expend State Highway Funds in the acquisition of existing toll bridges, and the construction and maintenance of free bridges across the Rio Grande River between the State of Texas and the Republic of Mexico. Provided, however, that State Highway Funds shall not be expended for the construction of a free bridge over and across the Rio Grande River between the State of Texas and the Republic of Mexico if such free bridge is to be located and constructed within one-half mile of an existing toll bridge which was constructed prior to the passage of this Act unless and until the State Highway Commission has acquired by purchase, condemnation, arbitration, or otherwise as the State Highway Commission may elect such existing toll bridge and franchise

contracts appertaining to the operation thereof. Provided, however, should the owner of such toll bridge fail or refuse to accept the agreed purchase price in accordance with any contract that may be entered into; or in the event of arbitration, if the owner of such toll bridge shall fail or refuse to accept an offer of the State Highway Commission to purchase such bridge at the amount fixed by such award in arbitration within thirty (30) days after such offer is made by the State Highway Commission, then the limitations contained in this Section shall not apply and the State Highway Commission shall be free to expend State Highway Funds for the construction of a free bridge over and across the Rio Grande River at any location selected by the State Highway Commission. In case condemnation proceedings are instituted, any party to such proceedings shall have the right to appeal from the award and judgment rendered in such condemnation proceedings, and in case an appeal is perfected, the award and judgment of the trial court shall be suspended during the pendency of the appeal.

Sec. 2.. That the State Highway Commission is further authorized and empowered by the authority of the Governor to enter into negotiations with, and consummate contracts and agreements with the owners of existing toll bridges across the Rio Grande River between the State of Texas and the Republic of Mexico; and with the United States Government and the Republic of Mexico and the duly authorized subdivisions and agencies thereof in any and all matters which, in the judgment of the Commission, may be necessary or proper in the accomplishment of the purposes of this Act.

Sec. 3. That it is the purpose and intent of this Act to furnish to the traveling public, bridges across the Rio Grande River for its use without charge and the authority herein conferred shall apply only in cases where the Republic of Mexico can and does cooperate with the Highway Commission of Texas and participate in the cost of acquisition, construction and maintenance of such bridges.

Sec. 4. The Highway Commission of Texas is further authorized and empowered to acquire, either by purchase or by condemnation, all of the right-of-way that may be needed for adequate and appropriate location and

approaches within the State of Texas for such bridges as may be constructed by virtue of the authority conferred by this Act. Any condemnation suit brought under the authority of this Act shall be according to the provisions of Title 52, Articles 3264 to 3271, inclusive, Revised Civil Statutes of Texas, 1925, as amended.

Sec. 5. If any section, subsection, sentence, clause, or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Sec. 6. The fact that there are now no free bridges across the Rio Grande River between the State of Texas and the Republic of Mexico, and the fact that there is a distinct need for free bridges across such border for the use of the traveling public, and the further fact that both the United States Government and the Republic of Mexico have evidenced a desire and willingness to cooperate with and participate in the cost of acquisition, construction, and maintenance of free bridges across the Rio Grande River between Texas and Mexico at this time, create an emergency and an imperative public necessity requiring that the Constitutional rule requiring bills to be read on three separate days be suspended and such rule is hereby suspended and this bill shall take effect from and after its passage, and it is so enacted.

The (committee) amendments were adopted severally.

On motion of Senator Roberts, the bill was tabled subject to call.

Senate Bill 238 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 238, An Act to be entitled "An Act to amend Sections 2, 5, 7, 8, 13, 15, 23 and 25 of Article 2997a of the Revised Civil Statutes of Texas, 1925, as amended by the Acts of the Forty-fifth Legislature Second Called Session 1937 by providing that a voting machine approved by the

Secretary of State must be constructed with certain requirements, with facilities for voting for candidates legally placed on a ballot, for permitting a voter in a general election to vote for any person for any office, for permitting voting in absolute secrecy and provide for the numbering of votes as they are cast and for that purpose have a public numbering counter, must also have a protective numbering counter; providing that such voting machines must also prevent voting for a candidate or on a proposition for whom or on which he is not lawfully entitled to vote and prevent voting for more than one person for the same office and for the same person twice, and must be provided with certain locks or a lock; providing that the county commissioners' court of a county which has adopted voting machines shall provide voting machines for each voting precinct designated; providing that the county commissioners' court of any county which has adopted voting machines for that county or any portion thereof may divide their respective precincts into convenient election precincts containing any number of qualified voters; providing for the publication of such order; providing for the delivery to the Tax Assessor and Collector a certified copy of such last order; providing that the commissioners' court shall divide any city or town into as many election precincts as they may see proper; etc., and declaring an emergency."

The bill was read second time.

Senator Graves offered the following amendments to the bill:

(1)

Amend the caption of S. B. No. 238, by Graves, as follows:

(1) By striking out the figure "2" in line 7, page 1.

(2) By striking out completely lines Nos. 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and the words "locks or a lock; providing" in line 21, page 1.

(2)

Amend S. B. No. 238, by Graves, as follows:

(1) By striking out completely Section 1.

(3)

Amend S. B. No. 238, by Graves, as follows:

(1) By changing the number of "Section 2" to "Section 1".

(2) By changing the number of "Section 3" to "Section 2".

(3) By changing the number of "Section 4" to "Section 3".

(4) By changing the number of "Section 5" to "Section 4".

(5) By changing the number of "Section 6" to "Section 5".

(6) By changing the number of "Section 7" to "Section 6".

(7) By changing the number of "Section 8" to "Section 7".

(8) By changing the number of "Section 9" to "Section 8".

(9) By changing the number of "Section 10" to "Section 9".

The amendments were adopted severally.

Senator Isbell offered the following amendment to the bill:

Amend S. B. No. 238 in line 64, page 6, by inserting the word "except" between the words "official" and "while".

The amendment was adopted.

The bill was passed to engrossment.

Senate Bill 238 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 238 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Burns	Nelson
Collie	Pace
Cotten	Redditt
Graves	Roberts
Hardin	Shivers
Head	Small
Hill	Spears
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Lemens	of Washington

Sulak
Van Zandt

Weinert
Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

Senate Bill 465 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 465, A bill to be entitled "An Act authorizing the Board of Directors of Texas Technological College at Lubbock, Texas, to select and lease a tract of land upon the campus of said college to the Texas National Guard Armory Board for purpose of erecting thereon an armory and other buildings to be used by Texas National Guard under provisions of Senate Bill No. 326, enacted by Regular Session of the Forty-sixth Legislature, approved May 1, 1939; providing terms of such lease contract; authorizing Board of Directors of said college to select and set aside tract of land on said campus not in excess of ten (10) acres to be used by Texas National Guard as drill ground; authorizing said Board of Directors of said college to permit Texas National Guard, and any subdivision thereof, ingress upon said campus and egress therefrom for purpose of going to and from such armory, other buildings

and drill grounds; providing a saving clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 465 on Third Reading

Senator Nelson moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 465 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

Senate Bill 396 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 396, A bill to be entitled "An Act declaring the sovereignty of Texas along its seacoast, fixing its present seacoast boundary and ownership, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 396 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 396 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Isbell
Beck	Kelley
Brownlee	Lanning
Burns	Lemens
Collie	Metcalf
Cotten	Moffett
Graves	Moore
Hardin	Nelson
Head	Pace
Hill	Redditt

Roberts	Stone
Shivers	of Washington
Small	Sulak
Spears	Van Zandt
Stone	Weinert
of Galveston	Winfield

Absent—Excused

Martin

House Bill 740 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 740, A bill to be entitled "An Act validating certain bonds in cities in the State of Texas operating under the General Laws of the State and located in counties having a population less than 27,500 and more than 27,400, according to the last preceding United States Census, which bonds have been heretofore voted subsequent to enactment of Chapter 382, Acts of the First Called Session of the Forty-fourth Legislature of Texas, 1935, and which bonds are payable out of the revenue to be derived from the operation of a municipal light and power distribution system, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 740 on Third Reading

Senator Roberts moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 740 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused**Martin**

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused**Martin****House Bill 1024 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1024, A bill to be entitled "An Act to amend Chapter 105 of the Special Laws passed by the Thirty-third Legislature at its Regular Session in 1913, as amended by Chapter 55, Special Laws of the Forty-third Legislature, Second Called Session, same being a road law for Jackson County, Texas, by adding thereto Sections 5a, 5b, and 5c, creating Road District No. 12, Jackson County, Texas, defining and specifically setting out its boundaries, including therein a portion of Road District No. 1, of said County; authorizing the Commissioners' Court to continue to levy an ad valorem tax for the payment of the principal and interest on all outstanding bonds of the former district embraced within Road District No. 12 herein created; authorizing the issuance of bonds by the newly created Road District in the manner and at such times as provided by the General Laws of Texas, for the issuance of bonds by road districts, and in conformity with

Article 3, Section 52 of the State Constitution, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1024 on Third Reading

Senator Roberts moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1042 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused**Martin**

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused**Martin**

House Bill 1042 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1042, A bill to be entitled "An Act providing for compensation for county auditor in certain counties; providing mode and manner of payment of such salary; making said Act cumulative of all laws and parts of laws now in force in this State, and declaring an emergency."

The bill was read second time.

Senator Roberts offered the following (committee) amendments to the bill:

(1)

Amend H. B. No. 1042 by striking out Section 2 thereof and renumbering the succeeding sections accordingly.

(2)

Amend the caption of H. B. No. 1042 by striking out the following words:

"making said Act cumulative of all laws and parts of laws now in force in this State"

The amendments were adopted severally.

The bill was passed to third reading.

House Bill 1042 on Third Reading

Senator Roberts moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1042 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Burns	Nelson
Collie	Pace
Cotten	Redditt
Graves	Roberts
Hardin	Shivers
Head	Small
Hill	Spears
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Lemens	of Washington

Sulak
Van Zandt

Weinert
Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

House Bill 1077 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1077, A bill to be entitled "An Act providing for more adequate and equitable salary for County Superintendents of Public Instruction in all those counties of Texas coming within the brackets and population figures herein, specifically in all those counties having not less than thirty-four thousand, six hundred (34,600), and not more than thirty-four thousand, seven hundred (34,700), according to the last preceding Federal Census; modifying all laws or parts of laws in conflict herewith; making this Act cumulative of the General Law, and declaring an emergency."

The bill was read second time.

Senator Cotten offered the following amendment to the bill:

Amend H. B. 1077 by adding after Section 1 a new section to be numbered "1 a" reading as follows:

"Section 1a. From and after the passage of this Act, in all counties of

the State of Texas which had a population of not less than thirteen thousand eight hundred (13,800), and not more than thirteen thousand nine hundred (13,900), according to the last preceding Federal Census, the salary of the County Superintendent of Public Instruction shall be set by the County Board of Trustees at an amount not to exceed Twenty-two Hundred and Fifty (\$2,250.00) Dollars and not less than Eighteen Hundred (\$1,800.00) Dollars and traveling and other expenses as now allowed by Federal law to be paid in accordance with and in the manner as provided by the general law governing the maintenance of the office of County Superintendent of Public Instruction."

And amend the caption to conform.

The amendment was adopted.

The bill was passed to third reading.

House Bill 1077 on Third Reading

Senator Cotten moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1077 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

House Bill 1058 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1058, A bill to be entitled "An Act creating a Special Road Law for Orange County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of March 1, 1939, by the issuance of funding bonds; providing that items of indebtedness as of said date, in the form of scrip, or time warrants, may be included in such funding bond issue, setting forth the method of issuing such funding bonds; validating all acts of the Commissioners' Court and of the County Officials of said County in issuing said scrip or warrants; validating said scrip or warrants; providing that the General Laws pertaining to roads and bridges shall be applicable to said County when not in conflict with the provisions hereof; repealing all laws and parts of laws in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1058 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1058 be

placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

House Bill 1030 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1030, A bill to be entitled "An Act amending Article 3902, Section 1, of the Revised Civil Statutes of 1925, by adding Section 1a, pro-

viding for salaries of heads of departments which may be appointed by the Commissioners' Courts of counties having a population of not less than nineteen thousand and five hundred (19,500), and not more than nineteen thousand and nine hundred (19,900), according to the last Federal Census, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1030 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1030 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Kelley
Beck	Lanning
Brownlee	Lemens
Burns	Metcalf
Collie	Moffett
Cotten	Moore
Graves	Nelson
Hardin	Pace
Head	Redditt
Hill	Roberts
Isbell	Shivers

Small	Sulak
Spears	Van Zandt
Stone	Weinert
of Galveston	Winfield
Stone	
of Washington	

Absent—Excused

Martin

House Bill 354 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 354, A bill to be entitled "An Act to permit the killing and annihilating of fox in Erath and Hood Counties, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 354 on Third Reading

Senator Head moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 354 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

House Bill 531 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 531, A bill to be entitled "An Act providing for the use of trotlines in Lake Waco in McLennan County; prescribing when such lines may be used, and the kind of trotline that may be used; providing a penalty for violation of this Act; repealing conflicting laws; and declaring an emergency."

The bill was read second time.

Senator Hardin offered the following amendment to the bill:

Amend H. B. No. 531, Section 1, by striking out the words "March, April and May" where the same appear in such bill and by inserting in lieu thereof the words "March and April."

The amendment was adopted.

The bill was passed to third reading.

House Bill 531 on Third Reading

Senator Hardin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 531 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

House Bill 1043 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1043, A bill to be entitled "An Act providing for a more adequate and equitable salary for County Superintendents of Public Instruction in all of those counties of Texas coming within the brackets and population figures herein—specifically, in all those counties having not less than seventy-seven thousand and not more than seventy-seven thousand,

six hundred; and in all those counties having not less than fifty-one thousand, seven hundred seventy and not more than fifty-one thousand, eight hundred; and in all those counties having not less than twelve thousand, one hundred ninety and not more than twelve thousand two hundred; and in all counties having not less than thirteen thousand, four hundred and not more than thirteen thousand, five hundred, according to the last preceding Federal Census; modifying all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1043 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1043 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Cotten
Beck	Graves
Brownlee	Hardin
Burns	Head
Collie	Hill

Isbell	Shivers
Kelley	Small
Lanning	Spears
Lemens	Stone
Metcalfe	of Galveston
Moffett	Stone
Moore	of Washington
Nelson	Sulak
Pace	Van Zandt
Redditt	Weinert
Roberts	Winfield

Absent—Excused

Martin

House Bill 539 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 539, A bill to be entitled "An Act amending Article 3259 of the Revised Civil Statutes of Texas of 1925, relating to the Waco State Home, formerly known as the Home for Dependent and Neglected Children, so as to facilitate the administration of said Home and to provide for more effective training and care of children in need of it and for the placement of certain children of said Home in children's boarding homes at a rate not to exceed One (\$1.00) Dollar per day for each child so boarded; provided that such homes shall be licensed by the Division of Child Welfare, State Board of Control; retaining with said superintendent control and custody of the child so placed as same exists with all other inmates of said Home; providing that children may be placed for adoption in homes approved by said Division of Child Welfare, State Board of Control; declaring an emergency."

The bill was read second time.

Senator Hardin offered the following (committee) amendments to the bill:

(1)

Amend H. B. No. 539, Section 1, line 6, by inserting after the words "Board of Control" and before the comma the following:

"and under the authority of an order to that effect issued by the court which committed such child to such institution."

(2)

Amend H. B. No. 539, Section 1, by striking out the following:

"The approval of the court need not be secured to place children in such licensed children's boarding homes; provided, that nothing herein shall prohibit the court from changing its order of commitment of a child to said Waco State Home as the laws of this State may now or later empower it."

Amend the caption to conform.

The amendments were adopted severally.

The bill was passed to third reading.

House Bill 539 on Third Reading

Senator Hardin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 539 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Hardin
Beck	Head
Brownlee	Hill
Burns	Isbell
Collie	Kelley
Cotten	Lanning
Graves	Lemens

Metcalfe	Spears
Moffett	Stone
Moore	of Galveston
Nelson	Stone
Pace	of Washington
Redditt	Sulak
Roberts	Van Zandt
Shivers	Weinert
Small	Winfield

Absent—Excused

Martin

House Bill 1049 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1049, A bill to be entitled "An Act providing for rural school supervisor in certain counties; providing for salary for such supervisor; providing traveling and other expenses for such supervisor; making said Act cumulative of all other laws and parts of laws regarding public education; prescribing duties of such supervisor, and declaring an emergency."

The bill was read second time.

Senator Lemens offered the following amendment to the bill:

Amend H. B. No. 1049 by adding at the end of Section 2, the following: "Provided, that only films for educational purposes shall be shown in said schools and that they shall not be shown for commercial purposes, and no admission charge or charges shall be made to such showing or exhibition."

The amendment was adopted.

The bill was passed to third reading.

House Bill 1049 on Third Reading

Senator Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1049 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Burns
Beck	Collie
Brownlee	Cotten

Graves	Redditt
Hardin	Roberts
Head	Shivers
Hill	Small
Isbell	Spears
Kelley	Stone
Lanning	of Galveston
Lemens	Stone
Metcalfe	of Washington
Moffett	Sulak
Moore	Van Zandt
Nelson	Weinert
Pace	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

House Bill 1072 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1072, A bill to be entitled "An Act amending H. B. No. 813, making it unlawful to hunt, shoot or kill any deer or wild turkey for a period of five years in Somervell, Coryell, Hamilton, Erath, Hood, and Johnson Counties, Texas; providing penalty therefor; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1072 on Third Reading

Senator Head moved that the constitutional rule requiring bills to be

read on three several days be suspended and that H. B. No. 1072 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

House Bill 133 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 133, A bill to be entitled "An Act requiring any person hunt-

ing any quail outside of the county of his residence upon the private lands of another person in Panola County, to first obtain and have in his possession a written permit; providing that the provisions shall not apply where such person is so hunting in company with the owner or agent of such lands; providing other necessary regulations pertaining to the obtaining of such permit; providing that the failure to have in possession such valid permit shall be prima facie evidence of guilt; providing a suitable penalty for violation of any provisions of this Act; providing that it shall be the duty of any peace officer operating in any county affected by the provisions of this Act to enforce the provisions of this Act, and repealing all laws in conflict with any provision of this Act, in so far as they relate to Panola County."

The bill was read second time.

Senator Hill offered the following amendment to the bill:

Amend the bill by adding an emergency clause.

The amendment was adopted.

The bill was passed to third reading.

House Bill 133 on Third Reading

Senator Hill moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 133 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

House Bill 741 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 741, A bill to be entitled "An Act changing the name of the Girls' Training School to be hereafter known as the Gainesville State School for Girls."

The bill was read second time and was passed to third reading.

House Bill 741 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 741 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kelley
Beck	Lanning
Brownlee	Lemens
Burns	Metcalfe
Collie	Moffett
Cotten	Moore
Graves	Nelson
Hardin	Pace
Head	Redditt
Hill	Roberts
Isbell	Shivers

Small	Sulak
Spears	Van Zandt
Stone	Weinert
of Galveston	Winfield
Stone	
of Washington	

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

House Bill 1059 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1059, A bill to be entitled "An Act to amend House Bill No. 137, Second Called Session, Forty-fifth Legislature, to provide that fish propagated because of expenditures made from the Medina Lake Fund may be distributed to any of the waters of Medina County, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1059 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1059 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

House Bill 614 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 614, A bill to be entitled "An Act amending Sections 14 and 18 [of the law relative to filing of birth certificates]; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 614 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 614 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

Committee Substitute for House Bill 195 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

C. S. for H. B. No. 195, A bill to be entitled "An Act defining and regulating the practice of chiropody in the State of Texas; providing for the creation of the State Board of Chiropody Examiners and prescribing their powers and duties; providing for the examination and licensing of chiropodists and the recording of licenses issued to chiropodists and for the annual registration of licensed chiropodists; providing grounds upon which such licenses may be suspended or revoked and the procedure to be followed in suspending or revoking same; providing civil and criminal remedies and penalties for violation of the laws regulating the practice of chiropody and to prevent the unlawful practice of chiropody, defining certain unlawful acts and practices, etc., and otherwise regulating and protecting public health as dealt with by the profession of chiropody as in the Act set out; providing for reciprocity as limited in the Act, and declaring certain legislative intent with respect to this Act, and declaring an emergency."

The bill was read second time.

Senator Burns offered the following amendments to the bill:

(1)

Amended H. B. No. 195 by striking out the following sections: 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, and amending the caption to conform.

(2)

Amend H. B. No. 195, page 1, after the word "effective" in line 61, by adding the following: "with the advice and consent of two-thirds of the members of the Senate."

And amend caption to conform.

The amendments were adopted severally.

The bill was passed to third reading.

Committee Substitute for House Bill 195 on Third Reading

Senator Burns moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 195 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

House Concurrent Resolution 144

The President laid before the Senate for consideration at this time:

H. C. R. No. 144, Granting permission to Mrs. Harvey Sharp of Wichita County, Texas, to sue the State of Texas and/or the State Highway Department.

The resolution was read.

Senator Moffett offered the following (committee) amendment to the resolution:

Amend H. C. R. No. 144 by Bundy et al., by adding a new paragraph just above the resolving clause as follows:

"However, it is to be understood that the purpose of this resolution is to grant permission to Mrs. Harvey Sharp and her husband, T. J. Sharp, to bring suit against the State of Texas and/or the State Highway Department, and no admission of the liability of the State is made by this resolution, and the facts as set out above shall be subject to proof in the court."

And also amend said resolution by taking the "now, therefore, be it" in the last Whereas clause and put it at the end of the above inserted paragraph.

The amendment was adopted.

The resolution, as amended, was adopted.

House Bill 999 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 999, A bill to be entitled "An Act to prohibit school trustees from soliciting, demanding or suggesting the giving of a bribe for themselves, or for another; prescribing penalties for violation hereof, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 999 on Third Reading

Senator Redditt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 999 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Isbell
Beck	Kelley
Brownlee	Lanning
Burns	Lemens
Collie	Metcalf
Cotten	Moffett
Graves	Moore
Hardin	Nelson
Head	Pace
Hill	Redditt

Roberts	Stone
Shivers	of Washington
Small	Sulak
Spears	Van Zandt
Stone	Weinert
of Galveston	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

House Bill 579 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 579, A bill to be entitled "An Act amending Sections 3, 4, 5 and 7 of Chapter 97, Acts of the Regular Session of the Forty-fourth Legislature of the State of Texas, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 579 on Third Reading

Senator Redditt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 579 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

House Bill 1020 on Passage to Third Reading

The President laid before the Senate on its passage to third reading (the bill having been read second time and tabled subject to call on May 10, 1939):

H. B. No. 1020, A bill to be entitled "An Act providing amount of payment to the Executive Committee, in order to have name placed on ticket for Representative in certain counties; repealing all laws and parts of

laws in conflict herewith to the extent of the conflict only, and declaring an emergency."

Senator Head offered the following amendment to the bill:

Amend H. B. No. 1020, Section 1, by striking out the following words and figures from Section 1 "and in all counties in this State having a population of not less than fifty thousand (50,000) nor more than fifty-one thousand (51,000)

The amendment was adopted.

The bill was passed to third reading.

House Bill 1020 on Third Reading

Senator Hardin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1020 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—15

Brownlee	Moore
Cotten	Redditt
Graves	Shivers
Hardin	Small
Head	Stone
Kelley	of Galveston
Lanning	Van Zandt
Lemens	Weinert

Nays—8

Aikin	Isbell
Beck	Metcalfe
Burns	Moffett
Hill	Winfield

Present—Not Voting

Pace

Absent

Collie	Stone
Nelson	of Washington
Roberts	Sulak
Spears	

Absent—Excused

Martin

House Bill 943 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 943, A bill to be entitled "An Act to amend Sections 1, 2, 3, 4, 6, 12, 21, 22, and to repeal Sections 5, 7, 14 and 18, of an Act relating to the bonding and licensing of dealers in citrus fruit in the State of Texas and being House Bill No. 99 of the Acts of the Forty-fifth Legislature as amended by Senate Bill No. 24 of the Acts of the First Called Session of the Forty-fifth Legislature, and declaring an emergency."

The bill was read second time.

Senator Burns offered the following amendment to the bill:

Amend H. B. No. 943 by adding a new section to be numbered —.

"Section —. Nothing in this Act shall ever be construed as amending, modifying, suspending, or repealing any of the laws of this State defining and prohibiting trusts, monopolies, and conspiracies against trade, with particular reference to Chapter 3, Title 19, Penal Code of this State and Title 126, Revised Civil Statutes of Texas, 1925; and should this Act in any manner conflict with or alter, repeal, change, modify or affect, or attempt to alter, repeal, change, modify or affect the above mentioned statutes or any sentence, section, clause, phrase or words thereof, this entire Act shall fall and be held for naught."

The amendment was adopted.

The bill was passed to third reading.

House Bill 943 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 943 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—23

Aikin	Moffett
Beck	Moore
Brownlee	Pace
Cotten	Redditt
Graves	Roberts
Hardin	Shivers
Head	Small
Isbell	Stone
Kelley	of Galveston
Lanning	Van Zandt
Lemens	Weinert
Metcalfe	Winfield

Nays—2

Burns	Hill
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Absent

Collie	Stone
Nelson	of Washington
Spears	Sulak

Absent—Excused

Martin

House Bill 563 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 563, A bill to be entitled "An Act to prohibit the sale of cattle infected, or known to be infected, with Bang's disease, for milk purposes, by any person; prescribing a penalty, and declaring an emergency."

The bill was read second time.

Senator Metcalfe offered the following amendments to the bill:

(1)

Amend H. B. No. 563 by striking out all of Section 1 and substituting in lieu thereof the following:

"Section 1. It shall hereafter be unlawful for any person to sell or otherwise dispose of any cattle for milk purposes when he knows or has reason to believe said cattle are infected with Bang's disease."

(2)

Amend H. B. No. 563 by striking out of lines 33 and 34 the words and figures "Fifty Dollars (\$50) nor more than Two Hundred Dollars (\$200)" and inserting in lieu thereof the following:

"Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00)."

(3)

Amend the caption to conform to changes in body of the bill.

The amendments were severally adopted.

The bill was passed to third reading.

House Bill 563 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 563 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Brownlee
Beck	Burns

Collie	Pace
Cotten	Redditt
Graves	Roberts
Hardin	Shivers
Head	Small
Hill	Spears
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Lemens	of Washington
Metcalfe	Sulak
Moffett	Van Zandt
Moore	Weinert
Nelson	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

House Bill 526 on Passage to Third Reading

The President laid before the Senate on its passage to third reading (the bill having been read second time and tabled subject to call on April 12, 1939):

H. B. No. 526, A bill to be entitled "An Act authorizing the Commissioner of Agriculture of this State to establish and maintain quarantine regulations in order to prevent the introduction into or the spread within this State of pests and diseases for the protection of agricultural industry of this State and to provide for the inspection of things and plants with reference to such quarantine requiring persons to notify the Commissioner of Agriculture of the arrival of such things and plants against which a

quarantine has been established and to hold them for inspection and providing for the disposal of such infected things or plants by the Commissioner of Agriculture and further providing the manner of declaring such quarantines and providing for investigation by the Commissioner of Agriculture in order to determine the existence of such pests and diseases and authorizing him to declare and enforce quarantine in order to prevent the spread thereof, and declaring an emergency."

Senator Kelley offered the following amendment to the bill:

Amend H. B. No. 526 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. If the Commissioner of Agriculture of this State, hereinafter called the "Commissioner", determines the fact that any dangerous insect pest or plant disease, new to and not heretofore widely distributed in the State, exists in any area outside of Texas, he is hereby authorized and it is made his duty, to establish, maintain, and enforce a quarantine at the boundaries of this State or elsewhere within the State against such infested area and shall prevent the movement from such quarantined area or areas into this State or into any part of it of any plants, plant products, things or substances liable to disseminate the pest or plant disease named in Section 2 hereof, provided that nothing herein shall be construed to prevent the movement of such plants, plant products, things or substances into this State from a quarantined area under such safeguards as the Commissioner shall deem adequate to prevent the introduction into this State of dangerous insect pests or plant diseases quarantined against.

Nothing in this Act shall be deemed to authorize a Commissioner or the Department of Agriculture to expend money without the State of Texas, or to send employees without the State of Texas, or to employ persons without the State of Texas.

Sec. 2. The following named insect pests and plant diseases which are not known to be widely distributed in Texas, are hereby declared public menaces and their introduction into this State is hereby stated to be of serious jeopardy to the citrus industry and horticulture of Texas:

Black scale, *Saissetia oleae*
Branch-and-twigg borer *Polycaon confertus*
Long-tailed mealy bug, *Pseudococcus Longispinus*
Orange-peel miner, *Marmara species*
Withertip of lime *Glocosporium Limetticolm*
Scaly bark, *Cladosporium herbarum*

It is known that these pests and public nuisances occur in a widely distributed area of the State of California, and the State of Florida, and the unregulated movement of citrus trees and fruits, which are host plants of these pests, into Texas would result in the distribution of the pests throughout the State.

Sec. 3. Provided that no person, partnership, or corporation outside the State shall be permitted to ship citrus nursery stock or citrus fruit into the State of Texas without first having filed with the Commissioner of Agriculture a certified copy of certificate of inspection issued by the proper authorities of the State in which the shipment originates; such certificates must show that the stock or the fruit to be shipped has been produced in a county known to be free of the above mentioned pests or that the stock or fruit has been fumigated by a method that will render it free of pests infestation and such method must be approved by the Commissioner of Agriculture of this State.

Sec. 4. No transportation company or common carrier shall receive, transport or deliver shipments of citrus nursery stock or citrus fruit originating without this State which do not bear shipping tags or labels showing the certificate of inspection of the State which it originates, together with the Commissioners' permit from the State of Texas.

Sec. 5. No transportation company or common carrier shall be liable for damages to the consignee or consignor for refusing to receive for transportation or deliver such trees or fruit, packages, bales, bundles, or boxes of trees or fruit, when not accompanied by copies of the certificates provided for by this Act. The agent of any such company or carrier shall immediately report to the Commissioner of Agriculture any such shipment not so accompanied.

Sec. 6. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon

conviction shall be fined not less than Fifty (\$50.00) Dollars nor more than Two Hundred (\$200.00) Dollars.

Sec. 7. All laws or parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Sec. 8. The fact that the citrus industry of Texas is in immediate danger of infestation by fruits and plants from other citrus fruit areas by reason of the fact that no proper basis for quarantine now exists creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

Senator Hill offered the following amendment to the bill:

Amend Section 1 by adding a new sentence at the end thereof: "The provisions of this bill shall apply solely to diseases, pests and infections common to citrus fruit."

The amendment was adopted.

On motion of Senator Moore, the bill was tabled subject to call.

House Bill 493 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 493, A bill to be entitled "An Act amending Article 5986 of the Revised Civil Statutes of 1925, eliminating certain provisions of said Article [relating to removal of officer from office], and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 493 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 493 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 652 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 652, A bill to be entitled "An Act amending Article 297 of the Penal Code of Texas, of 1925, as amended by Act of the Forty-fourth Legislature in 1935 [relating to compulsory attendance of school] and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 652 on Third Reading

Senator Hardin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 652 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hardin
Beck	Head
Brownlee	Hill
Burns	Isbell
Collie	Kelley
Cotten	Lanning
Graves	Lemens

Metcalfe	Spears
Moffett	Stone
Moore	of Galveston
Nelson	Stone
Pace	of Washington
Redditt	Sulak
Roberts	Van Zandt
Shivers	Weinert
Small	Winfield

Absent—Excused

Martin

The President laid the bill before the Senate, it was read third time and was passed.

House Bill 794 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 794, A bill to be entitled "An Act amending Article 6686, Title 116, of the Revised Civil Statutes of the State of Texas, 1925, as amended, by adding a new paragraph providing for the issuance of in-transit permits by the State Highway Commission to any person, firm or corporation engaged in and using the drive-a-way system of transporting motor vehicles under their own power, and declaring an emergency."

The bill was read second time.

Senator Graves offered the following amendment to the bill:

Amend H. B. No. 794, Section 1, page 1, by inserting after the words "This application for" the following word: "annual"

The amendment was adopted.

The bill was passed to third reading.

House Bill 794 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 794 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Graves
Beck	Hardin
Brownlee	Head
Burns	Hill
Collie	Isbell
Cotten	Kelley

Lanning	Small
Lemens	Spears
Metcalfe	Stone
Moffett	of Galveston
Moore	Stone
Nelson	of Washington
Pace	Sulak
Redditt	Van Zandt
Roberts	Weinert
Shivers	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Beck	Nelson
Brownlee	Pace
Collie	Redditt
Cotten	Roberts
Graves	Shivers
Hardin	Small
Head	Spears
Hill	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Metcalfe	Van Zandt
Moffett	Weinert
Moore	Winfield

Nays—2

Aikin

Burns

Absent—Excused

Martin

House Concurrent Resolution 77

The President laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 77, Honoring Messrs. W. H. Westfall, G. W. Lacey, and N. L. Norton, who donated the granite for the Capitol Building of the State of Texas, by placing a bronze plaque in the corridor of the State Capitol Building.

The resolution was read and was adopted.

House Bill 832 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 832, A bill to be entitled "An Act to declare valid and legal the establishment and organization of housing authorities, all bonds, notes, contracts, agreements, obligations and undertakings of such housing authorities, and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto."

The bill was read second time and was passed to third reading.

House Bill 832 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 832 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—20

Brownlee	Pace
Burns	Redditt
Graves	Shivers
Hardin	Small
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Van Zandt
Lemens	Weinert
Metcalfe	Winfield

Nays—5

Aikin	Moffett
Beck	Moore
Cotten	

Absent

Collie	Spears
Nelson	Sulak
Roberts	

Absent—Excused

Martin

House Bill 834 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 834, A bill to be entitled "An Act to provide that bonds and other obligations issued by any public housing authority or agency in the United States, when secured by a pledge of annual contributions to be paid by the United States Government, shall be security for all public deposits, and legal investments for the State and public officers, municipal corporations, political subdivisions and public bodies, all banks, bankers, trust companies, saving banks and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance association and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries; to repeal Section 14-A of Chapter 462, Regular Session of the Forty-fifth Legislature, as amended by House Bill No. 102, Second Called Session of the Forty-fifth Legislature, and to declare an emergency."

The bill was read second time and was passed to third reading.

House Bill 834 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 834 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Beck
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Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield
Nelson	

Nays—1

Moore

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—17

Brownlee	Pace
Burns	Redditt
Graves	Shivers
Isbell	Small
Kelley	Stone
Lanning	of Galveston
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Nays—6

Aikin	Hardin
Beck	Hill
Cotten	Moore

Absent

Collie	Spears
Head	Stone
Nelson	of Washington
Roberts	Sulak

Absent—Excused

Martin

House Bill 1061 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1061, A bill to be entitled "An Act providing amount of payment to the Executive Committee, in order to have the name placed on official

ballot for Representative and Floterial Representative in certain counties; repealing all laws and parts of laws in conflict herewith to the extent of the conflict only, and declaring an emergency."

The bill was read second time.

Senator Weinert offered the following amendment to the bill:

Amend H. B. No. 1061 by Clark by striking out the words, "the Floterial Representative place No. 2" where same appear in lines 10 and 11, page two, of the engrossed bill and insert in lieu thereof the words "such Floterial Representatives"; and amend the caption to conform with the amendment.

The amendment was adopted.

The bill was passed to third reading.

House Bill 1061 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1061 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 526 on Passage to Third Reading

Senator Kelly moved to call H. B. No. 526 from the table, on its passage to third reading (the bill having been tabled subject to call today).

The motion prevailed.

The President laid the bill before the Senate.

Senator Kelley offered the following amendments to the bill:

(1)

Amend H. B. No. 526 as follows:
Strike out the following language in Section 2: "area of the State of California and the State of Florida" and insert in lieu thereof the following: "areas of the United States."

(2)

Amend the caption of the bill to read as follows:

A BILL**TO BE ENTITLED**

An Act authorizing and making it the duty of the Commissioner of Agriculture to establish, maintain and enforce a quarantine against any dangerous insect pest or plant disease not heretofore widely distributed within the State; providing that the Commissioner shall prevent the movement from such quarantined areas into this State of any plants, plant products, things or substances which may disseminate the pest or plant disease; providing for the movement of such plants, plant products, things or substances under certain safeguards; naming certain insect pests and plant diseases and declaring them public menaces; and prohibiting the movement of citrus trees or fruits from certain areas where such pests and diseases are known to exist; providing that the Commissioner of Agriculture shall issue certificates of inspection; prohibiting the movement of citrus nursery stock or citrus fruit without such certificate; providing certain exceptions; prohibiting the transportation of citrus nursery stock or citrus fruit originating without this State unless bearing a certificate of inspection of the State in

which it originates; providing that transportation companies or common carrier shall not be liable for damages to the consignee or consignor for refusing to transport or deliver stocks, nursery stock or fruit when not accompanied by certificates; providing a penalty for the violation hereof; repealing all laws or parts of laws in conflict herewith; and declaring an emergency.

The amendments were adopted severally.

The bill was passed to third reading.

House Bill 526 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 526 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 626 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 626, A bill to be entitled "An Act to amend Section 6 of House Bill No. 303, Chapter 245, page 856 of

the Acts of the Regular Session of the Forty-third Legislature as amended by House Bill No. 373, Chapter 264, page 651 of the Acts of the Forty-fourth Legislature as amended by House Bill No. 893, Chapter 257 of the Acts of the Regular Session of the Forty-fifth Legislature; providing for additional time for organization under such Act, prescribing the time of organization and repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

The bill was read second time and was passed to third reading:

House Bill 626 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 626 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 492 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 492, A bill to be entitled "An Act authorizing municipalities, political subdivisions, and taxing districts to effect a plan for the composi-

tion of their indebtedness under the provisions of the Federal Bankruptcy laws enacted by the Congress of the United States, and declaring an emergency."

The bill was read second time.

Senator Lemens offered the following amendment to the bill:

Amend H. B. 492 by adding at the end of Sec. 1 the following "but this Act shall not apply to any bond or bonds while held by the permanent school fund of Texas."

The amendment was adopted.

The bill was passed to third reading.

House Bill 492 on Third Reading

Senator Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 492 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Collie
Beck	Cotten
Brownlee	Graves
Burns	Hardin

Head	Roberts
Hill	Shivers
Isbell	Small
Kelley	Spears
Lanning	Stone
Lemens	of Galveston
Metcalf	Stone
Moffett	of Washington
Moore	Sulak
Nelson	Van Zandt
Pace	Weinert
Redditt	Winfield

Absent—Excused

Martin

House Bill 1005 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1005, A bill to be entitled "An Act making it unlawful to kill or attempt to kill deer or wild turkey or molest same in Red River County for a period of five (5) years; providing a penalty; repealing all conflicting laws and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1005 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1005 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 474 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 474, A bill to be entitled "An Act amending Section 2 of Article 3883, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, Acts of the Forty-first Legislature, Fourth Called Session, as amended by Chapter 340, Acts of the Forty-second Legislature, Regular Session, as amended by Chapter 220, Acts of the Forty-third Legislature, Regular Session, as amended by Chapter 284, Acts of the Forty-fifth Legislature, Regular Session, as amended by Chapter 391, Acts of the Forty-fifth Legislature, Regular Session, by providing that in counties with a taxable valuation of not less than Fifty-one Million Dollars (\$51,000,000) nor more than Fifty-two Million Dollars (\$52,000,000) taxable valuation for county purposes according to the valuation as shown on the County Tax Assessor-Collector's rolls for the current year of 1938, the Justices of the Peace and Constables shall be allowed to retain out of the fees collected by such officers the sum of Thirty-six Hundred Dollars (\$3,600.00) per annum; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 474 on Third Reading

Senator Stone of Galveston moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 474 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hardin
Beck	Head
Brownlee	Hill
Burns	Isbell
Collie	Kelley
Cotten	Lanning
Graves	Lemens

Metcalfe	Spears
Moffett	Stone
Moore	of Galveston
Nelson	Stone
Pace	of Washington
Redditt	Sulak
Roberts	Van Zandt
Shivers	Weinert
Small	Winfield

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Adjournment

Senator Winfield moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

The motion prevailed; and the Senate, accordingly, at 10:10 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

SEVENTY-SIXTH DAY

(Thursday, May 25, 1939)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Nelson
Beck	Pace
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Head	of Galveston
Hill	Stone
Isbell	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield
Moore	

Absent—Excused

Kelley Martin

A quorum was announced present.

The invocation was offered by the Chaplain.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Kelley was granted leave of absence for today on account of important business, on motion of Senator Brownlee.

Senator Martin was granted leave of absence for today on account of important business, on motion of Senator Small.

Report of Standing Committee

Senator Van Zandt submitted the following report of the Committee on Civil Jurisprudence:

Austin, Texas,
May 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 758, A bill to be entitled "An Act authorizing Commissioners' Courts and governing bodies of cities, towns and villages of any county to establish and operate sewing rooms, and to provide for the improvement of public records; providing for employment of caseworkers and investigators; providing the Act does not compel any Commissioners' Court or Municipal Government to employ such caseworkers but such employment or appointment shall be discretionary; authorizing such governing bodies to make contracts for the purposes of discovery of land and improvements escaping taxation, compiling and assembling delinquent taxes and ownership record, the elimination of double assessments and elimination or reduction of unknown ownerships and the compiling of data pertaining to the value of taxable property for use by the Tax Assessor and Board of Equalization; providing that this Act shall apply only in instances where an agency of the United States Government or the State of Texas agrees to contribute a portion of the necessary money or labor; authorizing counties or cities to issue General Fund interest-bearing time warrants to evidence their indebtedness under such contracts; making it the duty of such governing body of such county or city to levy